APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,198	05/21/2007	Cedric Gegout	13798.005.00	6507

30827 7590 08/05/2010		EXAMINER
MCKENNA LONG & ALDRIDGE LLP		NGUYEN, STEVEN C
1900 K STREET, NW		
WASHINGTON, DC 20006	ART UNIT	PAPER NUMBER
	2443	

MAIL DATE	DELIVERY MODE
08/05/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr><td rowspan="2">Advisory Action
Before the Filing of an Appeal Brief</td><td>Application No.
10/589,198</td><td>Applicant(s)
GEGOUT, CEDRIC</td></tr>
<tr><td>Examiner
STEVEN C. NGUYEN</td><td>Art Unit
2443</td></tr>
</table>

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>19 July 2010</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3 </u>months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: <u>*1-13*</u>.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Tonia LM Dollinger/
Supervisory Patent Examiner, Art Unit 2443

Continuation of 11. does NOT place the application in condition for allowance because: The previous action's 35 U.S.C. 101 rejections have been withdrawn in light of the applicant's amendments dated 07/19/2010. In the response, Applicant argued that none of the cited references teaches or suggests at least "transmitting, from the server, data relating to at least one object to be arranged in a multimedia page to be generated, with an instruction to store said data, identified by a link, in a terminal memory" as recited in claim 1. The Examiner respectfully disagrees. Salmi disclosed in paragraph 23 that the mobile terminal includes a memory. Additionally, paragraph 28 states that the multimedia components are stored as files which can be retrieved from the memory means of the terminal. Paragraph 26 states that these components can include text, images, photographs, audio clips, or video clips. Also, when the multimedia message service center (server) receives a multimedia message containing multimedia components addressed to the terminal, a notification message is sent to the terminal to notify the terminal about the stored message. After receiving this notification, the terminal retrieves the message. Paragraph 52 states that after receiving the message, it is processed and stored in a message buffer formed in the memory. Applicant also argued that the Office asserted that Skinner teaches that "a server can order the sotrage of the data in the memory of the terminal." The Examiner respectfully disagrees. The Office asserted that Skinner disclosed "reading the data stored in the terminal memory" as shown in column 9, lines 29-46. In the cited portion, Skinner states that the client side cache maintains a set of objects for the respective client as well as a hash table of unique IDs and pointers pertaining to the object. When a user makes a request for data, the cache is first checked to see whether the information is already resident in the memory and if not, the server is queried for the information. Applicant also argued that Salmi does not provide storage in the memory of the terminal and that Salmi does not limit interchanges between the terminal and the server. The Examiner respectfully disagrees. Salmi does provide storage in the memory of the terminal as evidenced in paragraph 28 as explained above. The limitation of limiting interchanges between the terminal and the server is not included in the claim language of claim 1. Finally, the Applicant argued that none of the cited references teaches or suggests storage in the memory of a terminal (discussed above) which is ordered by the server itself (discussed above where after receiving the message from the server, the terminal stores the message in a buffer), subsequently transmitting a descriptive file containing said link (paragraphs 44-45, 53 state that once the message is compiled and laid out, a SMIL file is created and the reference to the location of the compilation file is gathered from the header) to edit, on the terminal, said object in at least one multimedia page being generated (paragraph 28 states that the user interface of the terminal is used to edit the components by placing them in the desired locations) , by reading the data stored in the terminal memory (Skinner, column 9, lines 29-46 as stated above). The Examiner finds the Applicant's arguments not persuasive and maintains the rejections made in the Final Office action.